

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. § 371

09/530795

U.S. APPLICATION NO. (If known, see 37 C.F.R. § 1.5): To be assigned

INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED
PCT/US98/23532	November 5, 1998	November 5, 1997

TITLE OF INVENTION: ENHANCED INFANT FORMULA CONTAINING LIPOSOME ENCAPSULATED NUTRIENTS AND AGENTS

APPLICANT(S) FOR DO/EO/US: Brian C. KELLER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. § 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. § 371.
3. This express request to begin national examination procedures (35 U.S.C. § 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. § 371(b) and PCT Articles 22 and 39(1).
4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A copy of the International Application as filed (35 U.S.C. § 371(c)(2))
 - a. is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. has been transmitted by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US)
6. A translation of the International Application into English (35 U.S.C. § 371(c)(2)).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. § 371(c)(3))
 - a. are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. have been transmitted by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. § 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. § 371(c)(4)).
10. A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. An Information Disclosure Statement under 37 C.F.R. §§ 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. §§ 3.28 and 3.31 is included.
13. A **FIRST** preliminary amendment.
 - A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. A substitute specification.
15. A change of power of attorney and/or address letter.
16. Other items or information: Notification of Transmittal of Int'l Preliminary Examination Report; return receipt postcard.

CERTIFICATE OF HAND DELIVERY

I hereby certify that this correspondence is being hand filed with the United States Patent and Trademark Office in Washington, D.C. on May 5, 2000.

R. Lynn Boyden

U.S. APPLICATION NO. (If known, see 37 C.F.R. § 1.49) To be assigned 09/530795	INTERNATIONAL APPLICATION NO. PCT/US98/23532	DOCKET NUMBER: 270142000300
17. <input checked="" type="checkbox"/> The following fees are submitted:		CALCULATIONS PTO USE ONLY
BASIC NATIONAL FEE (37 C.F.R. §§ 1.492(a)(1)-(5)):		
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$840.00		
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.....\$670.00		
International preliminary examination fee (37 CFR 1.482) not paid to USPTO by international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$690.00		
International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provision of PCT Article 33(1)-(4).....\$970.00		
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4).....\$96.00		
ENTER APPROPRIATE BASIC FEE AMOUNT = \$840.00		
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(e)).		\$0
CLAIMS	NUMBER FILED	NUMBER EXTRA
Total claims	14 - 20 =	0
Independent claims	2 - 3 =	0
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$260.00
TOTAL OF ABOVE CALCULATIONS = \$ 840.00		
Reduction by ½ for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 C.F.R. §§ 1.9, 1.27, 1.28)		\$0
SUBTOTAL = \$ 840.00		
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. § 1.492(f)).		+ \$0
TOTAL NATIONAL FEE = \$ 840.00		
Fee for recording the enclosed assignment (37 C.F.R. § 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. §§ 3.28, 3.31). \$40.00 per property		+ \$0
TOTAL FEES ENCLOSED = \$ 840.00		
		Amount to be refunded:
		charged: \$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$840.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my <u>Deposit Account No. 03-1952</u> in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Assistant Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment to <u>Deposit Account No. 03-1952</u>.</p>		
<p>NOTE: Where an appropriate time limit under 37 C.F.R. § 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. § 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p>		
SEND ALL CORRESPONDENCE TO:		
<p>Thomas G. Wiseman Morrison & Foerster LLP 2000 Pennsylvania Avenue, N.W. Suite 5500 Washington, D.C. 20006-1888</p>		
 <p>SIGNATURE</p>		
<p>Thomas G. Wiseman <u>Registration No. 35,046</u></p>		